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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,807	10/22/2003	Brian V. Sychta	GP-302372	6668

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EXAMINER

PHUONG, DAI

ART UNIT	PAPER NUMBER
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2688

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/691,807	SYCHTA, BRIAN V.	
	Examiner	Art Unit	
	Dai A. Phuong	2688	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,9-15 and 17-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,9-15 and 17-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's arguments, filed 11/25/2005, with respect to claims have been considered but are moot in view of the new ground(s) of rejection. Claims 7-8 and 16 have been canceled and claim 21 has been added. Claims 1-6, 9-15 and 17-21 are currently pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 4-5, 9 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Richard (Pub. No: 20020111715).

Regarding claim 1, Richard discloses a method of processing telephone calls from a plurality of telephone sources in a vehicle audio system, the method comprising the steps of: providing a first call via a first one of the telephone sources (send pushbutton or microphone) to a user via the vehicle audio system ([0106]. Specifically, Richard discloses the user must press the send pushbutton to send the call); notifying the user of a second call received via a second one of the telephone sources (menu flashes and a ringing sound) while the first call is active ([0107] and [0112] to [0113]. Specifically, Richard discloses for an incoming telephone call, the line number on the main menu flashes and a ringing sound is produced); processing an instruction from the user to suspend the first call and accept the second call, wherein the first call is placed in a hold queue within the vehicle audio system without terminating the first call ([0112] to [0113]); and in response to a subsequent instruction from user, restoring the first call

from the hold queue and again providing to the user via the vehicle audio system ([0112] to [0113]).

Regarding claim 2, Richard discloses all the limitation in claim 1. Further, Richard discloses the method wherein the notifying step comprises providing an audible prompt using the vehicle audio system ([0107]).

Regarding claim 4, Richard discloses all the limitation in claim 1. Further, Richard discloses the method wherein the processing step comprises placing the first call on hold while the user accepts the second call ([0112] to [0113]).

Regarding claim 5, Richard discloses all the limitation in claim 1. Further, Richard discloses the method wherein the providing step comprises routing audio information from the first phone to the vehicle audio system, and routing output from a vehicle microphone to an input of the first phone ([0106] and [0107]).

Regarding claim 9, Richard discloses a system for processing telephone calls from a plurality of telephone sources in a vehicle audio system, the system comprising: means for providing a first call using a first one of the telephone sources (send pushbutton) to a user via the vehicle audio system ([0106]. Specifically, Richard discloses the user must press the send pushbutton to send the call); means for notifying the user of a second call received via a second one of the telephone sources while the first call is active ([0107] and [0112] to [0113]. Specifically, Richard discloses for an incoming telephone call, the line number on the main menu flashes and a ringing sound is produced); and means for processing an instruction from the user to suspend the first call and accept the second call, wherein the first call is placed in a hold queue

within the vehicle audio system without terminating the first call ([0112] to [0113]); and mean for restoring the first call from the hold queue and again providing to the user via the vehicle audio system ([0112] to [0113]).

Regarding claim 21, Richard discloses all the limitation in claim 1. Further, Richard discloses the method wherein the subsequent instruction from the user comprises an instruction to terminate the second call ([0012] to [0113] and [0119]).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 6, 10-15 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richard (Pub. No: 20020111715) in view of Cannon et al. (Pub. No: 20030032460).

Regarding claim 3, Richard discloses all the limitation in claim 2. However, Richard does not disclose the method wherein the audible prompt comprises an indication of the priority of the second call.

In the same field of endeavor, Cannon et al. disclose the method wherein the audible prompt comprises an indication of the priority of the second call ([0055] to [0074]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the vehicle computer system by specifically including an

indication of the priority of the second call, as taught by Cannon et al., the motivation being in order to provide a request for access to a wireless hands-free gateway from one of the plurality of wireless phones, and providing hands-free functionality to that wireless phone.

Regarding claim 6, Richard discloses all the limitation in claim 5. However, Richard does not disclose the method wherein the processing step comprises routing audio information from the second phone to the vehicle audio system and routing output from a vehicle microphone to an input of the second phone in response to the instruction from the user to suspend the first call.

In the same field of endeavor, Cannon et al. disclose the method wherein the processing step comprises routing audio information from the second phone to the vehicle audio system and routing output from a vehicle microphone to an input of the second phone in response to the instruction from the user to suspend the first call ([0055] to [0074]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the vehicle computer system by specifically including disclose routing audio information from the second phone to the vehicle audio system and routing output from a vehicle microphone to an input of the second phone in response to the instruction from the user to suspend the first call, as taught by Cannon et al., the motivation being in order to provide a request for access to a wireless hands-free gateway from one of the plurality of wireless phones, and providing hands-free functionality to that wireless phone.

Regarding claim 10, Richard disclose an audio system for processing telephone calls from a plurality of telephones in a vehicle, the system comprising: at least one audio speaker

[[0052] and [0096]], wherein the first call is suspended by placing the first call in a hold queue without terminating the first call, and wherein the first call is restored from the hold queue in response to a subsequent instruction from the user and is again provided to the user via the at least one audio speaker ([0112] to [0113]). However, Richard does not disclose a user interface and a controller communicating with an interface to each of the plurality of telephones, wherein the controller is configured to provide a first call from a first telephone to a user via the at least one audio speaker, to notify the user of a second call received via a second telephone while the first call is active, and to process an instruction received from the user at the user interface to suspend the first call and accept the second call over the at least one audio speaker.

In the same field of endeavor, Cannon et al. disclose a user interface 202 and 204 (fig. 3, [0040]) and a controller 100 communicating with an interface to each of the plurality of telephones, wherein the controller is configured to provide a first call from a first telephone to a user via the at least one audio speaker ([0040] to [0049] and [0055] to [0074]), to notify the user of a second call received via a second telephone while the first call is active ([0055] to [0074]), and to process an instruction received from the user at the user interface to suspend the first call and accept the second call over the at least one audio speaker ([0040] to [0049] and [0055] to [0074]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the vehicle computer system by specifically including a user interface and a controller communicating with an interface to each of the plurality of telephones, wherein the controller is configured to provide a first call from a first telephone to a user via the at least one audio speaker, to notify the user of a second call received via a second telephone

while the first call is active, and to process an instruction received from the user at the user interface to suspend the first call and accept the second call over the at least one audio speaker, as taught by Cannon et al., the motivation being in order to provide a request for access to a wireless hands-free gateway from one of the plurality of wireless phones, and providing hands-free functionality to that wireless phone.

Regarding claim 11, Richard and Cannon et al. disclose all the limitation in claim 10. Further, Cannon et al. disclose the audio system further comprising a first interface to the first telephone and a second interface to the second telephone ([0040] to [0049]).

Regarding claim 12, Richard and Cannon et al. disclose all the limitation in claim 11. Further, Cannon et al. disclose the audio system wherein the first interface is a wireless interface ([0040] to [0049]).

Regarding claim 13, Richard and Cannon et al. disclose all the limitation in claim 12. Further, Cannon et al. disclose the audio system wherein the second interface is an interface to an onboard telephony system ([0040] to [0049]).

Regarding claim 14, Richard and Cannon et al. disclose all the limitation in claim 12. Further, Cannon et al. disclose the audio system wherein the wireless interface is a Bluetooth interface ([0024] to [0029]).

Regarding claim 15, Richard and Cannon et al. disclose all the limitation in claim 13. Further, Cannon et al. disclose the audio system wherein the processor is further configured to override any calls on the first telephone to automatically place a call on the second telephone in the event of an emergency ([0055] to [0074]).

Regarding claim 17, Richard and Cannon et al. disclose all the limitation in claim 10. Further, Richard discloses the audio system wherein the controller is further configured to place the second call into a queue if the user continues the first call ([0112] to [0113]).

Regarding claim 18, Richard and Cannon et al. disclose all the limitation in claim 10. Further, Cannon et al. disclose the audio system further comprising a voice recording subsystem in communication with the controller ([0040] to [0049]).

Regarding claim 19, Richard and Cannon et al. disclose all the limitation in claim 12. Further, Cannon et al. disclose the audio system wherein the controller is further configured to place the first call into a private mode on the first telephone when instructed by the user ([0055] to [0074]).

Regarding claim 20, Richard and Cannon et al. disclose all the limitation in claim 10. Further, Richard discloses the audio system wherein the user interface comprises a SEND button, a REJECT button, and an END button ([0062], [0116], [0019] and [0120]).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Patel (U.S. 5315636) personal communications system

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2688


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dai Phuong
AU: 2688
Date: 02-02-2006


GEORGE ENG
SUPERVISORY PATENT EXAMINER